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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,901	10/16/2000	David Elberbaum	ELBX 17.815	1770

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EXAMINER

VENT, JAMIE J

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary**Application No.**

09/688,901

Applicant(s)

ELBERBAUM, DAVID

Examiner

Jamie Vent

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-47 is/are pending in the application.
- 4a) Of the above claim(s) ~~1-20~~ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on September 26, 2006 has been entered.

Response to Arguments

Applicant's arguments filed September 26, 2006 have been fully considered but they are not persuasive. On page 11 applicant argues that Morito in view of Miller fails to disclose a code for "including data identifying the data source of a video signal" as recited in Claim 24. It is noted that in Column 4 Lines 9+ in Morito discloses the identifying of various sources used to provide an imprint onto the disk and thereby provide identification of the data source. Although, applicants points are understood the examiner can not agree and the rejection is maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-29 and 30-31 and 39-40 are rejected under 35 U.S.C. 103(a) as being anticipated by Morito (US6782190) in view of Miller et al (US 6222800).

[claims 24, 26, 27, & 29]

In regard to Claims 24, 26, 27, and 29, Morito discloses a method for authenticating a disk containing digital video signals recorded onto a fresh disk by a disk recorder, said disk recorder comprising a disk feeder, a recording tray, a recording compartment, a code generator, a code printer and a code mixer (Figure 2), the method comprising the steps of: changing said fresh disk with said printer and imprinting said exclusive code onto a label side of said fresh disk, said label side being the surface opposite a surface used for the recording of said video signal (Column 4 Lines 28-40 describes the imprinting of information onto the disks); mixing said code signal with said digital video signal by said code mixer and recording a mixed signal onto said disk imprinted with said exclusive code ((Figure 8 shows a controller for generating exclusive code as described in Column 4 Lines 38-45. Additionally, Figure 7 shows the disk identifier Sd mixed on the disk with coded signal Sp); however, fails to disclose

- feeding said fresh disk from a fresh disk compartment of said disk feeder to said recording way;

Miller et al teaches a system that has a disk drive capable of handling multiple disks for processing as seen in Figure 1 and further described in Column 2 Lines 44+. The

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system allows the loading of blank/fresh disks into the system and further provides the disks to be processed. Furthermore, as described in Column 9 Lines 30+ the disks can be printed and labeled in the printer bay as shown in Figure 12 for further identification of the disks as they are being reproduced or through playback. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of authenticating a disk, as disclosed by Moritio and further disclose a system that provides multiple disks to be processed, as disclosed by Miller et al, to allow for a faster and more efficient system.

[claims 25 & 28]

In regard to Claims 25 and 28, Moritio discloses a method wherein the data identifying the data source includes one or more of the camera, the recorder, the camera manufacturer, camera ID, camera I.P, serial number of the camera, model number of the camera, type of the camera, location of the camera, orientation of the camera, the scene observed by the camera, the object observed by The camera, the time of the recording, the date of the recording, the disk recorder manufacturer, the disk recorder ID, the disk recorder IP, the disk recorder model number, the disk recorder serial number (Column 4 Lines 5-40 describes the imprinting of information onto the disks wherein the information to imprint on the disk is directed to the source of the data being inputted to the system).

[claims 30, 31, 39, & 40]

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In regard to Claims 30, 31, 39, and 40, Morito discloses a disk wherein said fresh disk is one of a non-erasable disk and a re-recordable disk (Column 4 Lines 45+ describes the use of DVD-R; DVD-ROM; and DVD-RAM)..

Claims 32 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moritio (US 6,782,190) in view of Miller et al (US 6,222,800) in further view of Isoda (US 6,249,835).

[claims 32 & 41]

In regard to Claim 32, Moritio in view of Miller discloses a disk recorder apparatus for authenticating a disk according to wherein said printer (Column 4 Lines 35-40); however, fails to disclose the printer is selected from a group consisting of a laser printer, an ink jet printer, a heat stamp printer, an ink pad printer, an optical/chemical printer, a ribbon printer and a rubber pad printer. Isoda teaches in Figure 7 and 8 that any type of printer can be added to a system through user designation, plug and play, or through an operating system as described in Column 4 Lines 35+. The ability to add various types of output devices allows the system to be integrated into various systems depending on existing hardware. Furthermore, it would be obvious that a group of printers in this system could consist of a laser printer, an ink jet printer, a heat stamp printer, an ink pad printer, an optical/chemical printer, a ribbon printer and a rubber pad printers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the disk recording authenticating system as disclosed by

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Moritio in view of Miller, and further teach the system to use various printer selections for the system, as taught by Isoda, to allow for a fully integrated system.

Claims 33, 34, and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Moritio (US 6,782,190) in view of Miller et al (US 6,222,800) in further view of Anderson (US 6,463,026).

[claims 33, 34, & 42]

In regard to Claims 33, 34, and 42 Moritio in view of Miller et al discloses a disk recorder apparatus for authenticating a disk according to wherein said imprinting head (Column 4 Lines 29+ describes the attaching of labels onto the exclusively coded disks); however, fails to disclose a label applicator for attaching an exclusively coded labels onto said label side of said fresh disk. Anderson teaches a system wherein labels are applied to disks for identifying the various disks as seen in Figure 1. The labels can therefore be associated with an exclusive disk and code. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to use the disk recording apparatus with authenticating disks via a unique code, as disclosed by Morito in view of Miller et al, and further incorporate a system that allows for the identification to be on a label, as disclosed by Anderson et al, that allows for removal and reapplication of labels.

[Claims 35, 37, 46 & 47]

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In regard to Claims 35, 37, 46 and 47 Morito et al discloses a disk recorder apparatus for authenticating a disk comprising a digital video signal of at least one camera, recorded onto a fresh disk by a disk recorder, said disk recorder comprising:

- controller including code generator for generating an exclusive code and a corresponding code signal for said fresh disk, said exclusive code including data including the data source of the digital video signal recorded on the disk, and a code mixer for ranting said digital video signal and said code signal (Figure 8 shows a controller for generating exclusive code as described in Column 4 Lines 38-45. Additionally, Figure 7 shows the disk identifier Sd mixed on the disk with coded signal Sp); however, fails to disclose the following:
- a pull lever;
- a fresh disk tray for receiving said fresh disk including one or more cutouts, and one of notches and projections for engagement by said pull lever,
- a fresh disk tray compartment for loading one or more fresh disk trays including an elevating platform for raising or lowering said fresh disk tray into a feeding position;
- a printer comprising an imprinting head supported" by a reciprocal up-down arm, for imprinting said exclusive code onto the label side of said fresh disk contained in said tray when said tray is in said feeding position;

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- a disk driver, a recording head and a pulling table including said pull lever for engaging and transporting said fresh disk tray with an imprinted fresh disk from said feeding position to said disk driver and said recording head for recording said digital video signals mixed or combined with said code signal on said imprinted fresh disk;
- a disk collection compartment for collecting recorded disks contained in said trays including a disk collection elevating platform which is raised or lowered along with the collected trays to a receiving position for receiving a subsequent tray, wherein a tray containing recorded disk is pushed into said receiving position by said fresh disk tray, or by an additional pull lever included in said pulling table during said transporting and wherein said label side is the surface opposite to the recording surface of said disk.

Miller teaches an auto load disk copier system as seen in Figure 12. The disk copier system provides a pull lever as described in Column 9 Lines 21-26 that allows for movement of disks throughout the system. Furthermore, Figure 12 shows a jukebox copying system that allows for a fresh disk tray compartment for loading new disks as described in Column 9 Lines 1-8 that allows for further transporting of the disks through the system. Additionally, the system shows a printer for imprinting information onto the disk as described in Column 9 Lines 9-55. The imprinted disk allows for information to be sent throughout the system and provides the disk to be properly labeled for processing and thereby enhances the features of the systems to include labeling and transporting at a significant cost savings as described in Column 2 Lines 15-21.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention use the coding system, as disclosed by Morito, and further teach the system the transporting of disks through the system, as disclosed by Miller et al, to allow the system to provide a complete transport labeling system.

[claims 36 & 38]

In regard to Claims 36 and 38, Morito et al discloses the disk recorder apparatus for authenticating a disk according to wherein said imprinting head includes a code reader and said recording head includes a playback head and said controller includes a code extractor and a code comparator, wherein said code reader reads said exclusive code from said label side of said recorded disk and said playback head plays back said digital video signals mixed combined with said code signals; and said code extractor extracts said exclusive code from the playback signal and said code comparator outputs authentication signal when the read exclusive code and the extracted exclusive code commensurate (Column 4 Lines 38-45 describes the exclusive code used for playing back and authenticating the signal in the system).

[claims 43 & 45]

In regard to Claims 43 and 45, Moritio discloses a disk recorder apparatus for authenticating a disk according wherein the imprinted side of said fresh disk comprises one of a soft imprint layer and a rim (Figure 3 element 2 shows the imprint of the disk).

[claim 44]

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In regard to Claim 44, Moritio discloses a disk recorder apparatus for authenticating a disk wherein the coded side of said coded disk comprises one of a soft imprint layer and a rim (Figure 2 shows the imprint used for authenticating on the rim of the disk).

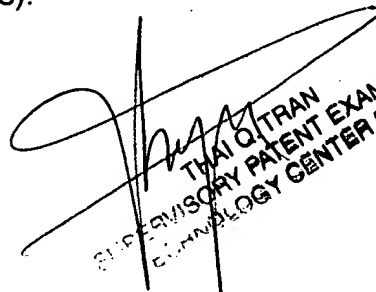
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent


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